

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RANDALL MARINCHEK,

Plaintiff,

v.

AMERICAN STANDARD METAL
PRODUCTS CORPORATION, et al.,

Defendants.

DECISION AND ORDER
15-CV-735-A

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., for the conduct of pretrial proceedings pursuant to 28 U.S.C. § 636(b)(1). On January 11, 2019, Magistrate Judge Schroeder filed a Report and Recommendation (Dkt. No. 42) recommending that motions for summary judgment under Fed. R. Civ. P. 56 filed by The New York Blower Company (Dkt. No. 31), PennBarry (Dkt. No. 33), Howden Alphair Ventilating Systems, Inc. and Howden North America, Inc. (Dkt. No. 35), and Baldor Electric Company (Dkt. No. 40) all be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and no objections to the Report and Recommendation having been timely filed, it is hereby

ORDERED, pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in the Report and Recommendation, the motions for summary judgment of The New York Blower Company (Dkt. No. 31), PennBarry (Dkt. No. 33), Howden Alphair

Ventilating Systems, Inc. and Howden North America, Inc. (Dkt. No. 35), and Baldor Electric Company (Dkt. No. 40) are all granted, and it is further

ORDERED, that the Clerk shall revise the caption to reflect only the remaining parties.

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: March 15, 2019